

**IN THE DRAWINGS**

In Fig. 1, add "Personal Computer" to element 10, add "CD-R" and an extension line to element 20, add "CD Player" to element 30, add "Amplifier" to element 34, and add "Headphone" and an extension line to element 35, as shown in the attached sheet.

In Fig. 2, add "Hard Disc Drive" to element 12, add "Music File" and an extension line to element 200, and add "CD-R" to element 20, as shown in the attached sheet.

Attachment: Replacement Sheets

REMARKS

A telephone discussion between the Examiner and Dennis Smid (one of the applicant's undersigned attorneys) was held on March 25, 2008. The applicant and Mr. Smid wish to thank the Examiner for his time and consideration for such discussion.

Claims 2, 4, 5, 7, 8, 10, 12, 13, 15, 16, and amended claims 1, 3, 6, 9, 11, 14, and 17-19 are in this application.

The drawings were objected to under 37 CFR 1.83(a) because they fail to show the label names of Figs. 1-2 as described in the specification.

Figs. 1 and 2 as amended herein are believed to overcome the above-described objection to the drawings. As such, it respectfully submitted that the above objections to the drawings be withdrawn.

The disclosure was objected to because of an informality. In particular, the Examiner stated that on "page 12, line 12, the phrase 'number of byres' is misspelled."

The present application has been amended herein to correct the above informality. As such, it respectfully submitted that the above objection to the disclosure be withdrawn.

Claims 1-19 were rejected under 35 U.S.C. 102(b) as being anticipated by Sako et al. (U.S. Patent No. 6,134,201).

Amended independent claim 1 now recites in part the following:

"reading identifying information which identifies the recording media from the recording media; and

recording the data on the recording media only when the read identifying information is the same as stored identifying information which was stored in the recording device." (Emphasis added.)

In describing the above 102 rejections with regard to at least several of the present claims, the Examiner appears to assert that the encoder ID of Sako is the same as the identifying information of the present claims. For example, see line 7 of the explanation of claim 3, line 12 of the explanation of claim 6, and line 11 of the explanation of claim 11, line 8 of the explanation of claim 14, line 5 of the explanation of claim 16, line 3 of the explanation of claim 17, line 4 of the explanation of claim 18, and line 4 of the explanation of claim 19.

Initially, and as discussed during the March 25 discussion, the identifying information of claim 1 identifies the recording media. As is to be appreciated, identifying information which identifies the recording media is different from information which identifies an encoder.

Additionally, claim 1 also specifically recites "recording the data on the recording media only when the read identifying information is the same as stored identifying information which was stored in the recording device." (Emphasis added.) It is respectfully submitted that Sako as applied by the Examiner does not appear to specifically disclose such feature of claim 1. That is, in explaining the above-mentioned 102 rejection with regard to claim 1, the Examiner appears to assert that line 55 of column 7 to line 7 of column 8 of Sako discloses the recording step of claim 1. However, it is respectfully submitted that such portion of Sako does not appear to specifically disclose "recording the data on the recording

media only when the read identifying information is the same as stored identifying information . . ." of claim 1.

Accordingly, it is respectfully submitted that claim 1 is distinguishable from Sako as applied by the Examiner.

For reasons similar to or somewhat similar to at least some of those previously described with regard to claim 1, it is also respectfully submitted that amended independent claims 3, 6, 9, 11, 14, and 17-19 are also distinguishable from Sako as applied by the Examiner.

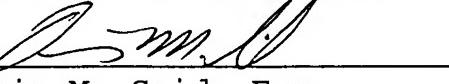
Claims 2, 4, 5, 7, 8, 10, 12, 13, 15, 16 are dependent from one of the amended independent claims. Accordingly, it is also respectfully submitted that dependent claims 2, 4, 5, 7, 8, 10, 12, 13, 15, 16 are distinguishable from Sako as applied by the Examiner for at least the reasons previously described.

As it is believed that all of the objections and rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections and/or rejections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: May 8, 2008

Respectfully submitted,

By   
Dennis M. Smid, Esq.  
Registration No.: 34,930  
LERNER, DAVID, LITTBENBERG,  
KRMHOLZ & MENTLIK, LLP  
600 South Avenue West  
Westfield, New Jersey 07090  
(908) 654-5000  
Attorney for Applicant

853890\_1.DOC